

added to the application. However, should the Examiner not agree with the title, the Examiner is authorized to amend the title in whatever way is necessary to meet the Examiner's standard of descriptiveness.

The specification has been amended on page 2, after line 18, to refer to Figure 1 as a vertical section of a known dispenser. Figure 1 has been also amended to indicate that it is prior art in the accompanying attached sheet of drawings. These amendments are the same as made by the Examiner in the parent application and therefore, it is most respectfully submitted that the Amendment to the specification and drawings obviate the objections to the drawings and the specification as set forth in the Official Action. Accordingly, it is most respectfully requested that these objections be withdrawn.

The rejection of claims 20-35 as provisionally rejected under 35 U.S.C. 101 as claiming the same invention as that of claims 20-30 and 32-38 of co-pending application serial number 09/149,858 has been carefully considered but is most respectfully traversed. It is noted that this is a provisional double patenting rejection since the conflicting claims have not in fact been patented. As noted, the claims in the '858 application have not issued although the Issue Fee has been paid in this application.

Applicant most respectfully submits that this rejection should be withdrawn as identical subject matter is not being claimed in the claims of both applications. It is only when the same invention is being claimed that 35 U.S.C. 101 is applicable and clearly, the identical invention is not being claimed in these applications. Accordingly, it is most respectfully requested that this rejection be withdrawn.

The rejection of claims 20-35 under the judicially created doctrine of obviousness double patenting over claims 20-30 and 32-38 of co-pending application serial number 09/149,858 has been carefully considered but is most respectfully traversed in view of the timely filing herewith of a Terminal Disclaimer. The rejections of the claims over the prior art including Beard et al. in view of Welter and further in view of Ryden have been carefully considered but for the reasons set

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forth in the Brief submitted in the parent application, these rejections should be withdrawn.

In any case, a Notice of Appeal is submitted herewith and the Brief will be prepared taking into consideration Advisory Action with respect to any outstanding rejections or objections in this application.

Respectfully submitted,  
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February 23, 2000